

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

WELLPATH HOLDINGS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-90533 (ARP)

(Jointly Administered)

**STIPULATION AND AGREED ORDER
REGARDING THE JAMES A PORRELLO LAWSUIT**

The above-captioned debtors and debtors in possession (collectively, the “Debtors”), Wexford Health Sources, Inc. (“Wexford”), and Jane Lekeanjia (“Lekeanjia”) (together with the Debtors, the “Defendants”) hereby enter into this stipulation and agreed order (this “Stipulation and Agreed Order”) as follows:

WHEREAS, on October 16, 2023, Inmate James Porrello (“Porrello”) brought suit against Defendants in *Porrello v. WellPath, et al.*, 3:23-cv-08579 in the United States District Court for the District of Arizona (the “Arizona Court”) (the “Lawsuit”);

WHEREAS, in the Lawsuit, Porrello asserts certain claims and causes of action against the Defendants regarding alleged unconstitutional medical care that Porrello received while in custody at Mohave County Jail;

WHEREAS, the Defendants dispute any and all liability with regard to any of the damages alleged to have been suffered by Porrello;

¹ A complete list of the Debtors (as defined below) in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://dm.epiq11.com/Wellpath>. The Debtors’ service address for these chapter 11 cases is 3340 Perimeter Hill Drive, Nashville, Tennessee 37211.

WHEREAS, on November 11, 2024 (the “Petition Date”), the Debtors filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of Texas (the “Court”);

WHEREAS, on November 12, 2024, the Debtors filed the *Debtors’ Emergency Motion for Entry of Interim and Final Orders to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants* [Docket No. 17] (the “Stay Extension Motion”) seeking extension of the automatic stay imposed by section 362(a) of the Bankruptcy Code to Non-Debtor Defendants (as defined in the Stay Extension Motion), and the Court entered the *Amended Interim Order Enforcing the Automatic Stay* [Docket No. 69] (the “Stay Extension Order”) staying all Lawsuits (as defined in the Stay Extension Motion) in their entirety, including claims against the Non-Debtor Defendants, on an interim basis;

WHEREAS, on November 15, 2024, Defendant Wellpath and Lekeanjia filed a Suggestion of Bankruptcy and Notice of Automatic Stay in the Lawsuit, *see* Lawsuit at Docket No. 51;

WHEREAS, on December 12, 2024, Porrello moved to dismiss Count One of his Complaint which would result in dismissal of Wellpath and dismissal of all claims against Lekeanjia while she was employed by Wellpath, *see id.* at Docket No. 56;

WHEREAS, on December 19, 2024, the Arizona Court entered an Order [Docket No. 63] requesting Defendants file a motion in the bankruptcy court to seek relief from the automatic stay for the limited purposes of (i) allowing the Arizona Court to consider and rule on the requested dismissal of Count I and (ii) allowing Count II to proceed against Lekeanjia and Wexford.

NOW, THEREFORE, IT IS STIPULATED AND AGREED:

1. The Defendants agree that the automatic stay imposed by section 362(a) of the Bankruptcy Code and extended to Non-Debtor Defendants does not extend to claims or causes of action against Lekeanjia in connection with her employment by Wexford.

2. Upon entry of this Stipulation and Agreed Order, the automatic stay shall be modified to allow the Arizona Court to consider and rule on (i) the requested dismissal of Count I of the Lawsuit and (ii) allowing Count II against Lekeanjia and Wexford to proceed.

3. Except as set forth herein, the Stay Extension Order otherwise remains a fully enforceable order and the automatic stay's application to all Non-Debtor Defendants (as defined in the Stay Extension Order) other than Lekeanjia remains in full force and effect.

4. This Court retains exclusive jurisdiction over any matter arising from or related to the implementation, interpretation, and enforcement of this Stipulation and Agreed Order.

Dated: _____, 2025
Houston, Texas

Alfredo R Perez
UNITED STATES BANKRUPTCY JUDGE

STIPULATED AND AGREED TO THIS 2nd DAY OF JANUARY 2025:

By: /s/ Marcus A. Helt

Marcus A. Helt (Texas Bar #24052187)

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